

REMARKS/ARGUMENTS

In view of the foregoing amendments and following remarks, favorable reconsideration is respectfully requested. It is submitted that the amendments and comments below raise no new issues for consideration.

Status of the Claims

Claims 1 and 3-18 are pending.

Claims 1, 5-9, 11-12, and 14-15 have been amended to further clarify the claimed invention. It is respectfully submitted that the claim amendments are non-substantive and no new issues are raised.

By way of this amendment, Claim 4 has been cancelled.

Rejections under 35 U.S.C. § 112

Claims 9 and 12 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 9 and 12 have been amended to delete the recitation "preferably polypropylene" and "preferably 4000 mPas to 6000 mPas", respectively. In view of these amendments it is respectfully submitted that the rejections under 35 U.S.C. § 112 have been overcome.

Prior Art Rejections

Claims 1 and 3-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,560,974 to Langley in combination with U.S. Patent No. 6,448,462 to Groitzsch et al., and U.S. Publication No. 2004/0029469 to Anderson et al. Claims 11-13, 15 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Langley in combination with Groitzsch, Anderson, and U.S. Patent No. 6,063,981 to Wehner et al.

The instant application is a National Phase Application of PCT/EP03/13826, filed December 16, 2003. The instant application was assigned or under an obligation to assign to Corovin GmbH (now Fiberweb Corovin GmbH) a wholly owned subsidiary of BBA Nonwovens at the time the invention was made.

Anderson is relied on by the Examiner in all rejections. Anderson has a publication date of February 12, 2004, which is after the PCT priority date of the instant application.

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Accordingly, Anderson is not prior art under 35 U.S.C. § 102(a) or 102(b). Anderson was assigned to Reemay Inc. (now Fiberweb, Inc.) also a wholly-owned subsidiary of BBA Nonwovens at the time the present invention was made. Under 35 U.S.C. § 103(c), Anderson cannot preclude patentability of the claimed invention because Anderson and the claimed invention were both owned by BBA Nonwovens or under an obligation to assign to BBA Nonwovens at the time the claimed invention was made. It is therefore respectfully submitted that the rejections under 35 U.S.C. § 103(a) have been overcome and that the pending claims are in condition for immediate allowance.

In view of the foregoing amendments and remarks, it is respectfully submitted that the rejections under 35 U.S.C. § 103(a) and 112 have been overcome.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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